

From: Mark Wade mark.wade@boyle.kyschools.us
Subject: Fwd: Books and SB 150
Date: September 25, 2023 at 2:18 PM
To: Jennifer Newby jennifer.newby@boyle.kyschools.us



FYI

----- Forwarded message -----
From: Mark Wade <mark.wade@boyle.kyschools.us>
Date: Fri, Sep 22, 2023 at 1:24 PM
Subject: Books and SB 150
To: Fiona Morgan <fiona.morgan@bluegrassnewsmedia.com>

Fiona,

Senate Bill 150, commonly known as the "Parental Rights Bill", was passed by legislators, vetoed by the governor, and overridden by the Senate and House on 3/29/23. This bill requires parental consent for:

- Mental health counseling related to human sexuality;
- Gathering certain survey information from students for research purposes;
- Instruction through curriculum or programs on human sexuality or sexually transmitted diseases (grades 6 or above).

The bill also states, "Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation."

In response to guidance provided by the Kentucky Department of Education, we reviewed current courses, programming, instructional resources and learning experiences to ensure compliance with the law (SB 150) including, but not limited to, health education curriculum, Advanced Placement coursework, dual credit courses and extracurricular activities. This was accomplished through a collaborative effort that included all school library media specialists, legal council, and our district leadership team. Our school library books and programs are considered instructional resources, and are made available to support the grade-level standards being taught. School libraries are instructional support entities within our school. As such, school libraries operate differently than a public library system.

As you may find in your research, this bill could continue to evolve. As a state public school, we are obligated to implement the law and we will respond if there are changes to the legislation.

Below you will find the bill:

<https://apps.legislature.ky.gov/recorddocuments/bill/23RS/sb150/bill.pdf>

In Boyle County Schools, we teach rigorous grade-level state standards, and offer a variety of instructional programs and opportunities for our students. We will continue to give students the best education and opportunity possible.

Thanks,
Mark Wade



MARK WADE

BOYLE COUNTY SCHOOLS

SUPERINTENDENT

O: 859-236-6634

E: mark.wade@boyle.kyschools.us

A: 101 Citation Drive - Suite C

Danville, KY 40422



MARK WADE

BOYLE COUNTY SCHOOLS

SUPERINTENDENT

O: 859-236-6634

E: mark.wade@boyle.kyschools.us

A: 101 Citation Drive - Suite C

Danville, KY 40422

From: Fiona Morgan fiona.morgan@bluegrassnewsmedia.com
Subject: Re: Books and SB 150
Date: October 5, 2023 at 8:19 AM
To: Mark Wade mark.wade@boyle.kyschools.us

FM

Hi Mark, I have a few clarifying questions on this. They're listed below.

Did KDE specifically say that schools should remove library books?

Did KDE mainly leave it up to districts and their legal counsel to interpret the law?

Is it correct that Stephen Dexter helped interpret the law for Boyle Schools?

SB 150 says there can't be instruction through curriculum or programs on human sexuality for grades 5 and below. Are libraries considered programs in this case? If so, why are books on sexuality being removed from the middle school and high school, in addition to the elementary schools?

The law does not mention libraries or library books. You said library books are "instructional resources." But the law doesn't mention instructional resources either. The law says "...does not receive any instruction or presentation..." In many people's understanding, the word "instruction" means the process of teaching, and not physical materials like books. Did the district interpret the word "instruction" to mean instructional materials?

Did KDE give any guidance on this language, or did the district / attorney interpret this language?

On Fri, Sep 22, 2023 at 6:52 PM Fiona Morgan <fiona.morgan@bluegrassnewsmedia.com> wrote:
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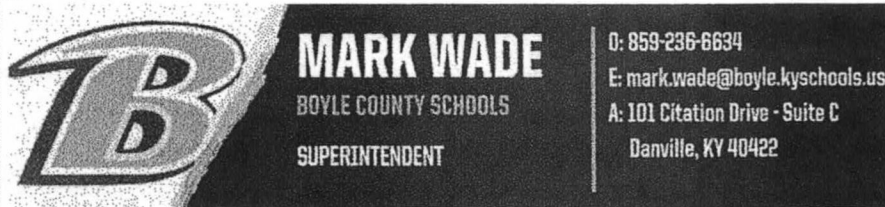
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Thanks,
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Thank you,
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Reporter
The Advocate-Messenger
Bluegrass News Media

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From: Mark Wade mark.wade@boyle.kyschools.us
Subject: Re: Books and SB 150
Date: October 9, 2023 at 8:38 AM
To: Fiona Morgan fiona.morgan@bluegrassnewsmedia.com



Hey Fiona,

[REDACTED] answered most of these questions, so I will try to fill in any holes. Many of these initial decisions were made before I became Superintendent, but I support the decisions. Since it is up to the district leadership to determine what books are shelved in the library, the decision was made to comply with SB 150 with the library collection. As Stephen stated, "There is not a requirement or right for certain books to be made available; rather, it is up to district leadership to determine what books, curriculum and programs should be included in district libraries. Library books are reviewed, removed or added to on an annual basis at the discretion of district leadership and needs."

If a student or parent desires a book we do not circulate, I encourage them to visit the public library or purchase it online. I hope this helps!

Sincerely,
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On Thu, Oct 5, 2023 at 8:19 AM Fiona Morgan <fiona.morgan@bluegrassnewsmedia.com> wrote:
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From: Fiona Morgan fiona.morgan@bluegrassnewsmedia.com
Subject: Re: Books and SB 150
Date: October 10, 2023 at 4:33 PM
To: Mark Wade mark.wade@boyle.kyschools.us

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On Mon, Oct 9, 2023 at 8:39 AM Mark Wade <mark.wade@boyle.kyschools.us> wrote:
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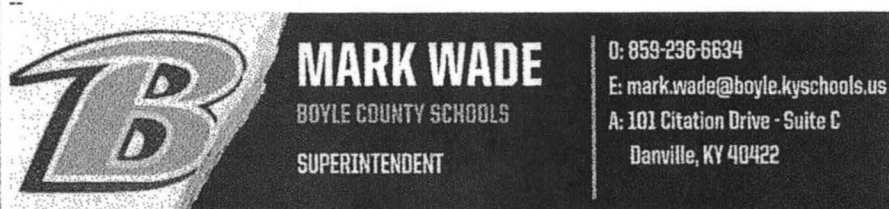
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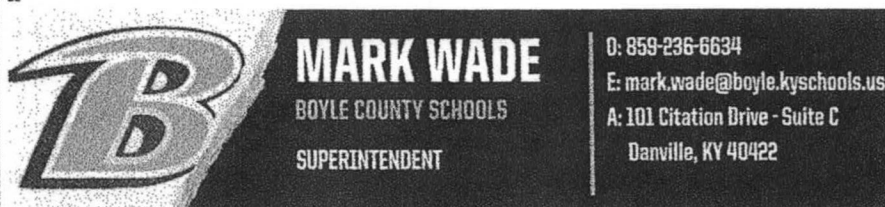
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Bluegrass News Media

From: Mark Wade mark.wade@boyle.kyschools.us
Subject: SB 150
Date: October 18, 2023 at 10:55 AM
To: Susan Taylor susan.taylor@boyle.kyschools.us



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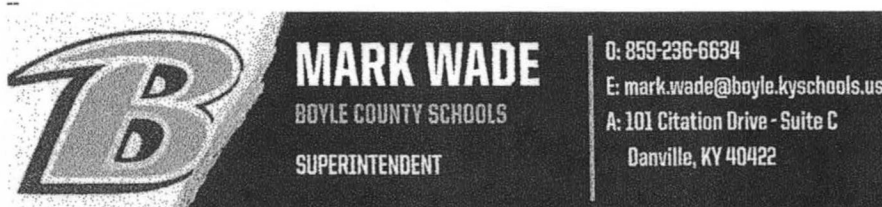
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Thanks,
Mark Wade



From: Stephanie Wade stephanie.wade@boyle.kyschools.us
Subject: SB 150 Library Guidance
Date: April 26, 2023 at 10:22 AM
To: Allen, James - Office of Education Technology james.allen@education.ky.gov



Do you have any school library guidance for SB150? Specifically on collection development, book fairs, access to materials, etc.

My superintendent and district office have had questions from staff, and 2 parents have asked how that works...

Thanks so much for any insight!
Stephanie



Stephanie Wade

Curriculum & Instruction Director
Boyle County Schools
101 Clinton Drive, Suite D
Covington, KY 40202
606-299-9024 ext 3108

stephanie.wade@boyle.kyschools.us
www.boyle.kyschools.us
www.boyle.kyschools.us



Boyle County Schools
K-12 - Instructional Leadership
K-12 - Library, Information & Technology - Rank 1 01000

From: Allen, James - Office of Education Technology james.allen@EDUCATION.KY.GOV
Subject: Re: SB 150 Library Guidance
Date: April 26, 2023 at 4:36 PM
To: Wade, Stephanie- Curriculum & Innovation Director stephanie.wade@boyle.kyschools.us



Good afternoon. Sorry for the delay. This is the location of the only guidance that I know of:
<https://education.ky.gov/districts/LegislativeGuidance/Pages/default.asp>
X

I've not heard any questions on SB150. Do you know what their questions were?

James Allen

Statewide School Library Lead
Office of Education Technology

Email: james.allen@education.ky.gov
300 Sower Blvd. – 4th Floor
Frankfort, KY 40601
Twitter: [@TLJamesA](https://twitter.com/TLJamesA)



Kentucky Department of
EDUCATION

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From: Stephanie Wade <stephanie.wade@boyle.kyschools.us>
Date: Wednesday, April 26, 2023 at 10:23 AM
To: Allen, James - Office of Education Technology <james.allen@education.ky.gov>
Subject: SB 150 Library Guidance

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www.boyle.kyschools.us
#BoyleCountyKY
#BoyleCounty

Boyle County Schools

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From: Stephanie Wade stephanie.wade@boyle.kyschools.us
Subject: Re: SB 150 Library Guidance
Date: April 27, 2023 at 11:10 AM
To: Allen, James - Office of Education Technology james.allen@education.ky.gov
Cc: Steve Karsner steve.karsner@boyle.kyschools.us

SW

The ultimate overall question is: Can library media programs make available for check-out books that pertain to topics listed in SB 150? If so, can they be part of displays or promotions in the library?

Here is the exact wording from SB 150: A policy to respect parental rights by ensuring that: 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and A policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases authorized in this section. Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties authorized by the school shall: (a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required in subsection (1)(e) of this section; (b) Be subject to an inspection by parents of participating students that allows parents to review the following materials: 1. Curriculum; 2. Instructional materials; 3. Lesson plans; 4. Assessments or tests; 5. Surveys or questionnaires; 6. Assignments; and 7. Instructional activities; (c) Be developmentally appropriate; and (d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with this subsection and KRS 9 160.345(2).

"A public school offering any course, curriculum, or program on human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum or program." - This is from KDE guidance

So, with all of the above information:

Is the library collection considered a "program"?

Is the scholastic book fair considered a "program"?

I'm sorry to pose these questions, but they've been posed to me, and I wanted to get the KDE Library leads guidance. I don't want to put our Library Media Specialists and their programs in a position to be breaking laws. Still, I want them to be able to make available reading materials that are age-appropriate on all topics if the law permits. The library collection is not a curriculum or a presented program, in my opinion. It is based on a choice for check-out. The library instruction they provide within the library lesson would be considered a curriculum or presented program, but the collection itself, I would think, is not. I don't want to be the "say so" on this, though, because I would never want to put our libraries or district in a position of law-breaking or litigation. I've included our Chief Academic Officer, as he will be working through this with me for libraries, instructional resources, and our curriculum.

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Kentucky Department of **EDUCATION**

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Bachelor's of Science
MA Ed - Instructional Leadership
HS - Libraries, Informatics & Technology - Rank I - 05/04/20



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Bachelor's of Science
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From: Allen, James - Office of Education Technology james.allen@EDUCATION.KY.GOV
Subject: RE: SB 150 Library Guidance
Date: April 28, 2023 at 12:53 PM
To: Wade, Stephanie- Curriculum & Innovation Director stephanie.wade@boyle.kyschools.us
Cc: Karsner, Steve steve.karsner@boyle.kyschools.us



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Cc: Karsner, Steve <steve.karsner@boyle.kyschools.us>
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Twitter: @Tl_JamesA



Kentucky Department of EDUCATION

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From: Stephanie Wade <stephanie.wade@boyle.kyschools.us>
Date: Wednesday, April 26, 2023 at 10:23 AM
To: Allen, James - Office of Education Technology
 <james.allen@education.ky.gov>
Subject: SB 150 Library Guidance

Do you have any school library guidance for SB150? Specifically on collection development, book fairs, access to materials, etc.

My superintendent and district office have had questions from staff, and 2 parents have asked how that works...

Thanks so much for any insight!
 Stephanie

--



Stephanie Wade

Curriculum & Innovation Director
Boyle County Schools
 101 Chestnut Drive, Suite 101
 Danville, KY 40442
 606-255-6631 ext. 3258



#StephanieWade
 Tech Support: 606-255-6631
 #BoyleCounty



Bachelor's of Science
 MA.Ed - Instructional Leadership
 MS - Libraries, Information & Technology - Rank 1 & WHU

--



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From: Stephanie Wade stephanie.wade@boyle.kyschools.us
Subject: Re: SB 150 Library Guidance
Date: May 1, 2023 at 8:44 AM
To: Allen, James - Office of Education Technology james.allen@education.ky.gov
Cc: Karsner, Steve steve.karsner@boyle.kyschools.us

SW

Hey James,

If you don't have any library-specific guidance from KDE, we will take it to our board attorney for counsel. I want to have some clear guidance so our library media specialists and library programs know the law as it pertains to the library.

Thanks for your help!

Best,
Stephanie

On Fri, Apr 28, 2023 at 12:53 PM Allen, James - Office of Education Technology <james.allen@education.ky.gov> wrote:

Good afternoon. If you would like, I'm happy to have a call with you all. Just let me know a few times that work for you.

James Allen

Statewide School Library Lead
Office of Education Technology

Email: james.allen@education.ky.gov

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Sent: Thursday, April 27, 2023 11:10 AM
To: Allen, James - Office of Education Technology <james.allen@education.ky.gov>
Cc: Karsner, Steve <steve.karsner@boyle.kyschools.us>
Subject: Re: SB 150 Library Guidance

The ultimate overall question is: Can library media programs make available for check-out books that pertain to topics listed in SB 150? If so, can they be part of displays or promotions in the library?

Here is the exact wording from SB 150: A policy to respect parental rights by ensuring that: 1. Children in grade five (5) and below do not receive any instruction through curriculum or programs on human sexuality or sexually transmitted diseases; 2. Any child, regardless of grade level, enrolled in the district does not receive any instruction or presentation that has a goal or purpose of students studying or exploring gender identity, gender expression, or sexual orientation; and A policy to notify a parent in advance and obtain the parent's written consent before the parent's child in grade six (6) or above receives any instruction through curriculum or programs on human sexuality or sexually transmitted diseases authorized in this section. Any course, curriculum, or program offered by a public school on the subject of human sexuality provided by school personnel or by third parties

authorized by the school shall: (a) Provide an alternative course, curriculum, or program without any penalty to the student's grade or standing for students whose parents have not provided written consent as required in subsection (1)(e) of this section;(b) Be subject to an inspection by parents of participating students that allows parents to review the following materials: **1. Curriculum; 2. Instructional materials; 3. Lesson plans; 4. Assessments or tests; 5. Surveys or questionnaires; 6. Assignments; and 7. Instructional activities;** (c) Be developmentally appropriate; and (d) Be limited to a curriculum that has been subject to the reasonable review and response by stakeholders in conformity with this subsection and KRS 9 160.345(2).

"A public school offering any course, curriculum, or program on human sexuality shall provide written notification to the parents of a student at least two (2) weeks prior to the student's planned participation in the course, curriculum or program." - This is from KDE guidance

So, with all of the above information:

Is the library collection considered a "program"?

Is the scholastic book fair considered a "program"?

I'm sorry to pose these questions, but they've been posed to me, and I wanted to get the KDE Library leads guidance. I don't want to put our Library Media Specialists and their programs in a position to be breaking laws. Still, I want them to be able to make available reading materials that are age-appropriate on all topics if the law permits. The library collection is not a curriculum or a presented program, in my opinion. It is based on a choice for check-out. The library instruction they provide within the library lesson would be considered a curriculum or presented program, but the collection itself, I would think, is not. I don't want to be the "say so" on this, though, because I would never want to put our libraries or district in a position of law-breaking or litigation. I've included our Chief Academic Officer, as he will be working through this with me for libraries, instructional resources, and our curriculum.

Thanks for any insight you can give us!

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Statewide School Library Lead

Office of Education Technology

Email: james.allen@education.ky.gov

300 Sower Blvd. – 4th Floor

Frankfort, KY 40601

Twitter: @TJ_Lamson

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859-226-6634 ext. 2209

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 **Boyle County Schools**
MS - Library, Information & Technology - Rank 1 (12/19)

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 **Stephanie Wade**
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Boyle County Schools
101 Clifton Drive, Suite C



Dunville, KY 40422
859-237-8200 ext. 3324

#ChaparralHills
From: Chaparral Hills, CA
#ChaparralHills
#ChaparralHills



Graduate's of Science
MS - Instructional Leadership
MS - Literacy, Information Technology - Rank! (2014)

From: Stephanie Wade stephanie.wade@boyle.kyschools.us
Subject: Fwd: SB 150 Library Guidance
Date: October 18, 2023 at 2:46 PM
To: Mark Wade mark.wade@boyle.kyschools.us, Susan Taylor susan.taylor@boyle.kyschools.us

SW

Here is the history of me reaching out to the state library consultant about SB 150.

----- Forwarded message -----

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Date: Mon, May 1, 2023 at 8:44 AM
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Boyle County Schools
K-12 - Instructional Leadership
K-12 - Libraries, Information & Technology - Rank 1 01/2021



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stepwade



Bachelor's of Science
MAEd - Instructional Leadership
MS - Librarians, Information & Technology - Rank 1 \$19K



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Bachelor's of Science
MAEd - Instructional Leadership
MS - Librarians, Information & Technology - Rank 1 \$19K

From: Mark Glover MGlover@fox56news.com
Subject: Request from FOX 56 News, Lexington
Date: October 18, 2023 at 1:55 PM
To: mark.wade@boyle.kyschools.us



Superintendent Wade,

My name is Mark Glover, and I'm News Director at FOX 56 News in Lexington. We saw this story in the Advocate-Messenger: [Boyle schools removing library books in response to SB 150 - The Advocate-Messenger | The Advocate-Messenger \(amnews.com\)](#). Would you be available to talk to us about the issue? Please let me know when you get a chance.

Thanks,

Mark Glover
News Director
Nexstar Media Inc.

WDKY FOX 56
836 Euclid Avenue, Suite 201
Lexington, KY 40502
859.382.5333 Cell
mglover@fox56news.com
www.FOX56News.com



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